

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**EMERALD JOHNSON,**  
**Plaintiff,**

**v.**

**WORKERS COMPENSATION  
APPEAL BOARD, et al.,**  
**Defendants.**

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**CIVIL ACTION NO. 18-CV-3403**

**ORDER**

AND NOW, this 20th day of August, 2018, upon consideration of Plaintiff Emerald Johnson's Motion to Proceed *In Forma Pauperis* (ECF No. 1), his *pro se* Complaint (ECF No. 2), and his Motion for Appointment of an Attorney (ECF No. 3), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED**.
2. The Complaint is **DISMISSED with prejudice** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons stated in the Court's Memorandum. Johnson may not file an amended complaint because amendment would be futile.
3. The Motion for Appointment of Attorney is **DISMISSED as moot**.
4. The Clerk of Court shall **CLOSE** this case.

**BY THE COURT:**

/s/ Cynthia M. Rufe

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**CYNTHIA M. RUFÉ, J.**

**INTERNAL MEMORANDUM**

TO: Judge Cynthia M. Rufe

FROM: Miriam P. Silberstein, Pro Se Law Clerk

RE: *Johnson v. Workers Compensation Appeal Bd.*  
Civil Action No. 18-3403

DATE: August 20, 2018

Attached is a proposed memorandum and order granting plaintiff leave to proceed *in forma pauperis*, dismissing the complaint because it fails to state a claim, and denying the motion for counsel. Please let me know if I can be of further assistance.

THIS MEMORANDUM CONSTITUTES CONFIDENTIAL COURT WORK PRODUCT. DO NOT PLACE IN THE PUBLIC REDWELD FILE.